

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
AT CLARKSBURG**

ASTRAZENECA PHARMACEUTICALS LP,  
ASTRAZENECA UK LIMITED, and  
ASTRAZENECA AB,

Plaintiffs,

v.

MYLAN PHARMACEUTICALS INC.,  
MYLAN LABORATORIES LIMITED, and  
MYLAN INC.,

Defendants.

No. 1:15-cv-00183-IMK

**CONSENT JUDGMENT**

AstraZeneca AB, AstraZeneca UK Limited, and AstraZeneca Pharmaceuticals LP (hereinafter collectively “AstraZeneca”), and Mylan Pharmaceuticals Inc., Mylan Laboratories Limited, and Mylan Inc. (collectively “Mylan”), the parties in the above-captioned action, have agreed to terms and conditions representing a negotiated settlement of this action and have set forth those terms and conditions in a Settlement Agreement (the “Settlement Agreement”). Now the parties, by their respective undersigned attorneys, hereby stipulate and consent to entry of judgment and an injunction in this action as follows:

IT IS this \_\_\_\_ day of \_\_\_\_\_, 2017:

ORDERED, ADJUDGED AND DECREED as follows:

1. This District Court has jurisdiction over the subject matter of the above action and has personal jurisdiction over the parties.

2. As used in this Consent Judgment, (i) the term “Mylan Product” shall mean a drug product sold, offered for sale or distributed pursuant to Abbreviated New Drug Application Nos. 207640 and/or 208811 (and defined in greater detail in the Settlement Agreement); and (ii) the term “Affiliate” shall mean, with respect to a Party, any entity or person that, directly or indirectly through one or more intermediaries, controls, is controlled by, or is under common control with such Party. For purposes of this definition, “control” means (a) ownership, directly or through one or more intermediaries, of (i) more than fifty percent (50%) of the shares of stock entitled to vote for the election of directors, in the case of a corporation, or (ii) more than fifty percent (50%) of the equity interests in the case of any other type of legal entity or status as a general partner in any partnership, or (b) any other arrangement whereby an entity or person has the right to elect a majority of the board of directors or equivalent governing body of a corporation or other entity or the right to direct the management and policies of a corporation or other entity.

3. Unless otherwise specifically authorized pursuant to the Settlement Agreement, Mylan, including any of its Affiliates, successors and assigns, is enjoined from infringing United States Patent Numbers 6,774,122, 7,456,160, 8,329,680 and 8,466,139, on its own part or through any Affiliate, by making, having made, using, selling, offering to sell, importing or distributing of the Mylan Product.

4. Compliance with this Consent Judgment may be enforced by AstraZeneca and its successors in interest, or assigns, as permitted by the terms of the Settlement Agreement.

5. This Court retains jurisdiction to enforce or supervise performance under this Consent Judgment and the Settlement Agreement.

6. All claims, counterclaims, affirmative defenses and demands in this action are hereby dismissed with prejudice and without costs, disbursements or attorneys' fees to any party.

ENTER: January 5, 2017



Irene M. Keeley, U.S.D.J.

We hereby consent to the form and entry of this Order:

/s/ Aaron N. Arthur

Lisa B. Pensabene  
Filko Prugo  
Will C. Autz  
O'MELVENY & MYERS LLP  
Times Square Tower  
7 Times Square  
New York, NY 10036  
(212) 326-4481

David B. Thomas (WV Bar #3731)  
Aaron N. Arthur (WV Bar #12447)  
THOMAS COMBS & SPANN PLLC  
300 Summers Street, Suite 1380  
Charleston, WV 25301  
(304) 414-1800

*Attorneys for AstraZeneca AB, AstraZeneca UK Limited, and AstraZeneca Pharmaceuticals LP*

/s/ Gordon H. Copland

Gordon H. Copland (WV Bar #828)  
William J. O'Brien (WV Bar #10549)  
STEPTOE & JOHNSON PLLC  
400 White Oaks Boulevard  
Bridgeport, WV 26330  
(304) 933-8000

Shannon M. Bloodworth  
Crystal Canterbury  
PERKINS COIE LLP  
700 Thirteenth Street NW, Suite 600  
Washington, D.C. 20005-3960  
(202) 654-6200

David L. Anstaett  
Autumn N. Nero  
PERKINS COIE LLP  
1 East Main Street, Suite 201  
Madison, WI 53703-5118  
(608) 283-7460

*Attorneys for Mylan Pharmaceuticals Inc., Mylan Laboratories Limited, and Mylan Inc.*